

MINUTES
BOATING AND WATERWAYS COMMISSION MEETING
SACRAMENTO, CALIFORNIA
July 31, 2003

Pursuant to due and regular notice, the meeting of the Boating and Waterways Commission was called to order by Chairman, Michael L. Beatie, on June 9, 2003, at 8:32 A.M., at the Department of Boating and Waterways, 2000 Evergreen Street, Suite 100, Sacramento, California.

ROLL CALL

Commissioners Present: Michael L. Beatie, Chairman
 Frederic A. Heim, Vice Chairman
 Robert Y. Nagata
 Warren E. Rupf
 Joseph P. Sharpe

Department of Boating and
Waterways Personnel Present: Raynor Tsuneyoshi, Director
 Joy Fisher, Staff Counsel
 David Johnson, Acting Deputy Director
 Steve Watanabe, Acting Chief Boating Facilities
 Dolores Farrell, Chief, Boating Operations Division
 April Moses, Associate Governmental Program Analyst
 Margarita Sanchez, Administrative Assistant

APPROVAL OF MINUTES

MOTION: It was moved by Commissioner Sharpe and seconded by Commissioner Heim that the minutes of the June 9, 2003, meeting be approved as distributed. The motion carried unanimously.

MOTION: It was moved by Commissioner Sharpe and seconded by Commissioner Nagata that the Closed Session minutes of the June 9, 2003, meeting be approved as distributed. The motion carried unanimously.

CHAIRMAN'S REPORT

Chairman Beatie read a letter addressed to the Commission dated July 18, 2003. The letter was from Senator Roy Ashburn, Eighteenth Senate District and was written in support for the approval of a grant allocation for the renovation of Jack Smith Park Boat Launch Facility in Needles, California. The project was listed as an agenda item under the Consent Calendar.

DIRECTOR'S REPORT

Mr. Tsuneyoshi reported the passing of the budget by the Legislature. He indicated the Department has lost 17 positions and that a hiring freeze is now in place.

Mr. Tsuneyoshi stated some of the program highlights in the budget include: \$20,919,000 for loans to public agencies to construct and improve Marinas; \$3,500,000 for loans to private sector marina owners to construct and improve marinas; \$19,581,000 for grants to public agencies to construct and improve boat launching facilities; \$13,655,000 for capital outlay projects to construct and improve boating facilities on state lands; \$9,075,000 in aid to local agencies for boating law enforcement; \$997,000 for beach erosion control; \$6,033,000 for aquatic pest control programs, including water hyacinth and *Egeria densa*; \$2,543,000 in federal funds, for a variety of boating safety, education and access programs; \$500,000 for abandoned watercraft abatement grants, and \$1,313,000 for vessel sewage pumpout grants.

In addition, Mr. Tsuneyoshi reported that \$26.6 million of the boaters' share of gasoline taxes would go to the Department of Parks and Recreation, for use on state parks where boating activities take place.

Mr. Tsuneyoshi indicated the controlling of *Egeria densa* in the Delta began in July and after federal permits delays, the water hyacinth control program is also under way.

Mr. Tsuneyoshi also reported attending the Change of Command ceremony for the Coast Guard 13th District in Alameda.

Mr. Tsuneyoshi reported that Representative Clay Shaw of Florida has introduced H.R. 2389 which would restore motorboat fuel taxes to the Wallop-Breaux Fund. The Wallop-Breaux Fund provides grants to the states for boating safety programs and if the bill is passed, California would obtain additional federal funds from the U.S. Coast Guard.

Mr. Tsuneyoshi introduced Mr. Fred Messmann, Vice President of the National Association of State Boating Law Administrators (NASBLA). Mr. Messmann presented the NASBLA's Public Service Award to Ms. Monica Key. Chairman Beatie and Commissioner Heim thanked Ms. Key for her work on boating safety.

LEGISLATIVE REPORT

Mr. Johnson reviewed the Legislative Report and gave the Commission an update of legislative matters concerning the Department. Copies of the Legislative Report were available to the public and Mr. Johnson was available to answer questions from the Commission Members.

CONSIDERATION OF CONSENT CALENDAR

Ms. Moses presented to the Commission the Consent Calendar for its advice and consent. It included ten grants totaling \$11,766,000 and one loan totaling \$1,290,500 (see attached for details).

MOTION: It was moved by Commissioner Rupf and seconded by Commissioner Sharpe that the Commission approve the Consent Calendar as presented. The motion carried unanimously.

CONSIDERATION OF PUBLIC LOANS

Ms. Moses presented to the Commission for its advice and consent the following requests for public loans.

Alamitos Bay, Basin 4

Request for a Phase II loan of \$6,250,000 to the City of Long Beach for improvements to the Alamitos Bay, Basin 4. The total amount of the loan is \$8,250,000.

Ms. Moses reviewed the project and explained that the proposed project would include dredging the marina, demolishing the existing berths and constructing new concrete berths, repaving the existing 329 vehicle parking area, and constructing a new four-unit restroom.

Mr. Douglas Parsons, Superintendent of Operations, was available to answer any questions from the Commission. Mr. Parsons reviewed the project for the Commission.

Ms. Moses indicated that staff recommended that the Commission consent to the project.

Commissioner Rupf complimented the City of Long Beach for their productive projects that benefit the boaters.

MOTION: It was moved by Commissioner Rupf and seconded by Commissioner Sharpe that the Commission consent to the Phase II loan of \$6,250,000 to the City of Long Beach for improvements to the Alamitos Bay, Basin 4. The motion carried unanimously.

Mr. Parsons provided the Commissioners with photographs of Basin 8. He indicated the Basin 8 project has been completed and he thanked the Commission for the loan.

Berkeley Marina

Request for a Phase III loan of \$3,200,000 to the City of Berkeley for improvements to the

Berkeley Marina. The total amount of the loan is \$7,000,000.

Ms. Moses reviewed the project and explained that the proposed project would include demolition and replacement of Docks A-E along the north side of the marina basin and the existing 30-40 year old wooden docks and wood piles will be replaced with a new marina berthing system and concrete piles. New utilities, including electrical power and water, will also be installed. The new docks and gangways will be designed and built for barrier-free access. In addition, four existing restroom buildings will be replaced, all of which will be barrier free.

Mr. Cliff Marchetti, Manager, Berkeley Marina was available to answer questions from the Commission. He proceeded to review the project to the Commission.

Ms. Moses indicated that staff recommended that the Commission consent to the project.

MOTION: It was moved by Commissioner Sharpe and seconded by Commissioner Heim that the Commission consent to the Phase III loan of \$3,200,000 to the City of Berkeley for improvements to the Berkeley Marina. The motion carried unanimously.

OLD BUSINESS

Pier 38

Mr. Carl Ernst addressed the Commission on Pier 38. He informed the Commission that payment on the Pier 38 loan has resumed and he gave an update on the progress of the project. He introduced his new partners in the development of the new marina. Mr. Ernst also handed the Commission a response to the San Francisco Weekly article, as requested by the Commission at a previous meeting.

Martinez

Steve Watanabe gave the Commission an update on the Martinez public loan and Mr. Rob Schroder, Mayor, City of Martinez, was available to answer any questions from the Commission.

Mr. Schroder introduced Mr. Mark Ross, Vice Mayor; Ms. Joanne Tool, Management Analyst; Mr. James Mills, Vice President, and Mr. Tim Bazley, representing Westrec. Mr. Schroder updated the Commission on the Martinez Marina and provided them with a handout on the Launch Ramp Grant and Coastal Conservancy Grant and Masterplan.

NEW BUSINESS

Bagley-Keene Open Meeting Act

Joy Fisher gave the Commission a brief update on the Bagley-Keene Open Meeting Act.

Commission Site Visits

Steve Watanabe briefed the Commission on the Department of Boating and Waterways' site visit procedure. He recommended that should the Commission wish to continue visiting proposed project sites, they should formally adopt a policy via a motion and vote.

Commissioner Rupf commented that the site visit procedure implemented by previous Chairperson Paul Priolo is a good practice to keep and should be continued. He indicated the Department should make it a policy. Chairman Beatie stated he concurred with Commissioner Rupf's comments and added that he would also like the Department staff to join the Commissioners on the site visits as it was done in the past.

After discussion, Mr. Tsuneyoshi recommended that Department of Boating and Waterways staff draft a policy and send it to all Commissioners for review and comment. He indicated staff would then have a policy for the Commission to vote on at the next Commission meeting.

Project Funding for Landscaping

Steve Watanabe gave a presentation to the Commission on project funding for landscaping. He stated the Department's design guidelines prohibit overhead electrical utilities as a safety and liability issue and many local governments require undergrounding of electrical utilities. He further stated that many local agencies require projects to include landscaping and tree shading in parking areas.

Chairman Beatie indicated that he considers landscaping an important part of a project and that it completes the overall project. Commissioner Rupf then stated that during this fiscal crisis, government should prioritize and spend every dollar wisely to increase boating opportunities for the California boaters. He indicated he is not oppose to including amenities in projects, but would like the Commission to remain focused on the core responsibility of the Commission and not get into the park business.

Mr. Tim Bazley of Blue Water Designing Group commented that landscaping has become a necessary project element and provides beneficial uses to the project site, such as, acting as a buffer zone for water quality filtration and controlling runoff. He indicated buffer zones also help provide directions through parking lots and help as visual areas to help guide people to the site. He also stated that there are many code requirements that require a certain percentage of parking areas to be landscaped.

Ted Warburton, President, California Association Harbor Master and Port Captains, commented on the aesthetic value that landscaping gives to a project and agreed with the comments of Mr. Bazley.

Commission Heim commented that landscaping benefits the local area project site and should be paid for by local entities.

PUBLIC COMMENTS

There was no public comment.

COMMISSIONER ANNOUNCEMENTS

After discussion, it was decided that the next Commission Meeting would be September 11, 2003, in Sacramento.

Commissioner Rupf requested that talking points on the Department be sent to the Commissioners. He also indicated that a memorandum be sent to the Department staff indicating the Commission's support for their excellent work during the fiscal crisis.

ADJOURNMENT

The meeting adjourned at 11:22 A.M.

Raynor Tsuneyoshi, Secretary

Attachments